

MINUTES OF THE MONTHLY MEETING OF THE
TRINIDAD PLANNING COMMISSION
WEDNESDAY, DECEMBER 19, 2012

I. CALL TO ORDER/ROLL CALL (6:00pm)

Commissioners Present: Johnson, Pinske, Vanderpool, Becker, Rotwein
Commissioners Absent: none
Staff: Parker, Caldwell

II. APPROVAL OF MINUTES

October 17, 2012

Reminder: there are no November minutes. Commissioners request that first names are used in the minutes for review purposes.

Motion (Becker/Pinske) to approve the minutes.

Passed unanimously.

III. APPROVAL OF AGENDA

Motion (Pinske/Becker) to approve the minutes.

Passed unanimously.

IV. ITEMS FROM THE FLOOR

None.

V. AGENDA ITEMS

- 1. City of Trinidad:** – Zoning Ordinance Amendment, amending section 17.72.100.D (7.14.D) of the Trinidad Zoning Ordinance to allow a fee to be set by resolution of the City Council for filing an appeal of a Planning Commission decision to the City Council. Also deleting subsections C and D of section 17.72.120 (7.16) exempting government agencies from payment of application fees (C) and prohibiting refunds of application fees (D); APN: NA, City-wide

Planner Parker introduces the project and gives background

Commissioner Pinske questions if it is more common for the applicant to appeal and Planner Parker states that it is pretty common in Trinidad, especially because the City can be bypassed for the Coastal Commission. Local denial of projects is not appealable to the City Council. To be legal, administrative avenues cannot be exhausted; to appeal, someone has to speak at a meeting and be a party of interest.

The Commission discusses fees in the language and Planner Parker amends it to \$100. Commissioner Johnson questions why the Coastal Commission does not recognize the City's fee and ordinance and Planner Parker explains that that is their interpretation. When there is conflict between two regulations, the Coastal Commission uses the more specific one, so the 1990 adopted resolution is not valid. Commissioner Becker requests changing it to a modest fee. She notes that not much can be done without fees anymore. Commissioner Johnson suggests deleting paragraphs C and D and adding more language because there is not a clear process in place. She states that it is fairly standard, but from what she understands, there is no break from fees jurisdiction to jurisdiction. Commissioner Pinske thinks the City Council can make an

exception and Planner Parker agrees that they should be able to waive fees. Commissioner Johnson adds that a nonprofit should be defined.

Recommendation (Becker/Rotwein) to the City Council regarding the fee resolution. The Planning Commission recommends that the City Council consider different rates for a fee schedule. Fees may be full or partially refunded, and the City Council should have the option of waiving, reducing or refunding fees for a good cause, such as public benefit. There should be a valid foundation for a fee refund and previous participation in the project is a requirement. A fee refund request should be submitted in writing or in an oral presentation.

Passed unanimously.

2. General Plan Update: Public Safety and Noise Elements Figures, next steps for Housing Element and Cultural/Historic Resources Element.

The Commission reviews and edits the figures.

The Commission brainstorms regarding the Housing Element. Trinidad will never reach the low income density because of septic limitations—Trinidad can probably meet the low income bracket, but not the standards. There is a disconnect between the census and reality; the data comes out in stages and uses estimates, which portrays Trinidad differently than it really is. Trinidad's Housing Element should have a discussion to clear up the difference between reality and the projected census data, highlighting information such as the land that is available for low income housing, such as that behind Murphy's Market. The City will make a good faith effort to meet the State's standards in spirit.

Commissioner Becker has to leave. (6:45pm)

Other issues should be addressed, such as transients. The Commission should also start thinking about the Cultural and Historic Element and the issues, locations, structures and stakeholders that should be included in that. Locations such as the cemetery, museum area, lighthouse (x2), Trinidad Head and harbor, and the trail systems are recommended. The report from the Trinidad Head Committee should be acquired. Planner Parker wants tribal influence included in the Element. The Commission discusses the Tsurai's concern regarding the meeting tonight. Commissioner Johnson indicated that Kelly Lindgren contacted him and he indicated that no decisions were going to be made tonight and that it was merely a brainstorming session. The Commission further brainstorms the Element options and Planner Parker will send out formal consultation letters.

VI. CITY COUNCIL REPORT

There is a new mayor, Julie Fulkerson, and Maria Bauman will be joining the City Council in January.

VII. STAFF REPORT

The January meeting should be around the 16th. Planner Parker will get the packet done the first week of January or email it. The Commission discusses meeting options. Planner Parker states that there will be a Caltrans retrofit project to look forward to with a March deadline. She may have to get guidance from the Coastal Commission on this one. Commissioner Johnson guesses that there is a design review element of that project, but that it may have already been vetted at Gateway meetings.

VIII. ADJOURNMENT

Meeting adjourned at 7:16pm.

Submitted by:

Sarah Caldwell

Secretary to Planning Commission

Approved by:

Richard Johnson

Planning Commission Chair